

REMARKS

General Remarks

With this Amendment, Applicant cancels Claims 1-12 and adds new Claims 13-22. No new matter is added. Therefore, Claims 13-22 are all the claims currently pending in the present application.

Previously pending Claims 1-12 stood rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as his invention.

Previously pending Claims 1-12 stood rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over different combinations of Shobu et al., U.S. Patent No. 5,692,130, Baugher et al., U.S. Patent No. 5,701,465, Yoshida, U.S. Patent No. 5,594,867, Gregory, U.S. Patent No. 5,909,673, and Corrigan et al., U.S. Patent No. 5,966,636.

New Claims 13-22

With this Amendment, Applicant adds new Claims 13-22 in order more fully to cover various aspects of Applicant's invention as disclosed in the specification. Applicant submits that Claims 13-22 are patentable over any reasonable combination of the cited references.

Regarding Claims 13 and 17, none of the cited references, either alone or in combination, teaches or suggests at least a server comprising a transmission means, as claimed, transmitting a large volume of data upon reception of a notification of data transmission allowance and not transmitting the large volume of data upon reception of a notification of data transmission non-allowance from a client terminal.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/656,714
Attorney Docket No. Q60692

Regarding Claims 18 and 22, none of the cited references, either alone or in combination, teaches or suggests at least if data is not larger than a predetermined volume, transmitting the date via a D-channel and if the data is larger than a predetermined volume, transmitting a notification from a server to a client that a large volume of data is to be transmitted, as claimed.

Claims 14-16 and 19-21 are patentable at least by virtue of their dependence on Claims 13 and 18, respectively.

Therefore, in view of at least the above, Applicant respectfully requests allowance of new Claims 12-22.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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